

Special Education Advisory Panel

February 17, 2006

Minutes

Members Present

Deana O'Brien
Lynda Roberts
Steve Viola
Meghan Stewart
Jeaneal Alexander
Joan Zavitsky
Mary Kay Savage
Kent Kolaga

Mike Hanrahan
Kris Callen
Tamara Arthaud
Ken Southwick
Richard Staley
Dorothy Parks
Martha Crabtree
Ray Wicks

Doreen Frappier
Bev Woodhurst
DeAnn Fiedler
Barbara Scheidegger
Patti Simcosky
Eileen Huth
Shirley Woods

Members Not Present

Melodie Friedebach
Trish Grassa
Pat Jackson
Cathy Meyer

Kim Oligschlaeger
Pam Walls
Nina Murphy
Amanda Coleman

Melissa Frazier
Theresa Valdes

Guests/Visitors

Eric Remelius, past panel member
Lindsey Jerichow, MU intern - guest invited by Kent Kolaga
Karen Wild - guest invited by DeAnn Fiedler
Deb Hendricks, future panel member, paperwork is in process

DESE Staff

Pam Williams

Copies of handouts distributed at the meeting are available at:
<http://dese.mo.gov/divspeced/Administration/AdvisoryPanel/94142meetings.html>.

Call to Order/Introductions/Approval of Minutes – Deana O'Brien called the meeting to order at 8:45 a.m. Kent Kolaga suggested that under the By-laws section of the November minutes that it include a list of the changes that were voted on at that meeting. Kent provided Lina Browner a copy of those changes. Kent Kolaga made a motion to approve the minutes with the suggested change. Mike Hanrahan seconded the motion. Motion approved with one abstention.

Formal Recommendations (FR #9) – The panel briefly reviewed formal recommendation #9. Surveys have been sent to those with findings during the current fiscal year (since July 1, 2005).

Election of Members to Executive Committee – Kent Kolaga handed out the suggested changes to the bylaws regarding the executive committee.

The Panel reviewed the suggested changes to:

Section I - Mike Hanrahan made a motion that the suggested changes for Section I be accepted and voted on at the April Panel meeting. Kris Callen seconded the motion. Motion approved with one abstention.

Section VI - Ken Southwick made a motion that the suggested changes for Section VI be amended to have the chairperson appoint for vacancies and then have the executive committee approve or disapprove the appointment to the vacancy. Richard Staley seconded the motion. Motion approved.

Section III – Ray Wicks indicated that the quorum for the executive committee is not consistent with the definition of a quorum for the entire panel which is just members present. Kent Kolaga indicated that meetings of the panel are set well in advance but the executive committee may have to be pulled together at the last minute. Kent's concern is that if two members of the executive committee can call a meeting and only those two people attend, they will be the two making the decisions. The decisions of the executive committee will be ratified by the panel at their next meeting. Executive committee meetings could be held via conference call if properly posted in advance. Ray Wicks made a motion that the proposed language in Section III be accepted and voted on at the April Panel meeting. Kris Callen seconded the motion. Motion approved.

Kent will revise the suggested language, will draft procedures for handling an officer vacancy, and will send to the Panel prior to the April meeting.

Subcommittees met for approximately 45 minutes. Shirley Woods volunteered to temporarily chair the Public Comment Subcommittee. Panel reconvened at 10:45 a.m.

Evaluation Subcommittee – Lynda Roberts indicated that she recently asked panel members if they had any comments or suggestions for the current format for the SEAP annual report. She only received one response, asking to review samples from other states. Samples from other states were handed out at a previous meeting but Lynda also brought a copy for panel members to review.

Annual Report Timeline:

- April 20 Panel meeting – Subcommittee chairs need to provide their reports to Lynda for year to date. If additional information needs to be added after the April meeting, email Lynda.
- June 7 – The subcommittee will meet in Joan Zavitsky's office to draft the annual report and will send to the panel on June 9 for their review (2 weeks prior to the June meeting).
- After June meeting – Send remainder of subcommittee information to Lynda immediately following meeting. A final draft will be sent to the panel prior to the August meeting. The panel will then vote on the annual report at the August meeting.

NOTE: If a subcommittee chair does not submit a report, it will be so reported in the annual report.

Rules and Regulations Subcommittee – Ray Wicks reported that only two members were present for their subcommittee meeting but they had a good discussion.

- Anticipating final regulations from OSEP – It could be summer or later before OSEP has them done.
- SB834 – Ray indicated that SB834 makes changes in a generic way to Missouri state law regarding special education to make it in compliance with federal law. Ray indicated that the change is specific to timelines and changes the 45 day timeline to what is mandated by IDEA. Mary Kay indicated that she was concerned that this change would eliminate the resolution conference for parents. Ray indicated that he found out about SB834 by someone other than DESE and he felt that DESE should have notified his subcommittee of this Senate bill. He felt that the Panel was not given an opportunity to comment or respond to the bill. Ray

recommended that panel members as individuals go to the General Assembly's website and express their concern to the legislature regarding SB834. Deana O'Brien indicated that she was also upset that the Panel was not given the opportunity to comment on this and other legislation. Kris Callen suggested that the Panel discuss with DESE staff at the Fall Panel meeting any proposed legislative changes they are aware of for the following year.

Kent Kolaga made a motion that the Panel go on record with DESE as supporting the retention of the resolution conference in the State Plan, state regulations, and state law. Mary Kay seconded the motion. Mary Kay indicated that it is the lowest level for families before going into due process. Pam Williams stated that the proposal was to bring state statutes in line with federal statutes and to eliminate the confusion between resolution conferences and resolution sessions. The feeling is that they are the same thing, but that one happens before and one happens after a due process. Pam indicated that this could be a duplicative step and that there is no specific requirement in statute for a resolution session. Motion passed.

Kent Kolaga made a motion that DESE be asked (new Formal Recommendation) to notify the panel as soon as possible on any educational legislation that the panel may be interested in and to notify the panel at the next meeting of the person or group that will discuss the process of how it will be done from now on. Shirley Woods seconded the motion. Motion passed.

DESE Update

- **Clarification of what a settlement order is (due process)** – Pam Williams handed out a revised copy of the Due Process Hearings FY 2004/2005 Disclosure report. The disclosure was given to the panel at the November 2005 meeting. The revised disclosure includes information about dismissals and settlement orders.
- **State Performance Plan (SPP)** – Pam Williams indicated that the SPP was submitted to OSEP in December. OSEP has given first round of approval which means that they have done a brief review of all the plans to make sure that the targets are measurable and contains all the required pieces. DESE is waiting to hear more. DESE is implementing the activities and getting the necessary data collection pieces in place. Next reporting is February 2007.
- **Part B Application** – Pam Williams indicated that the Part B application will go for 60 day review and 30 day public comment (due April 21 to OSEP) on Tuesday, February 21. The Part B application includes assurances that DESE will comply with the federal law. DESE is using June 30, 2007, as the date to have state regulations changed to meet federal regulations. There are usually very few comments since it mainly just an assurance document.

Programs Subcommittee – Tamara Arthaud indicated that their subcommittee is wanting a bit of direction on their charge. They are looking for an avenue on issues that they can review and provide some suggestions on. Tamara asked if their subcommittee is supposed to pick items to research or is it items that the panel has identified concerns with. Tamara indicated that their subcommittee could assist in organizing future topics for panel meetings. Would like to have DESE present information on senior graduation requirements, exit exams, differentiated diplomas, and MAP accommodations.

Monitoring Subcommittee – Kent Kolaga indicated that the monitoring subcommittee met via conference call on January 6. He handed out copies of the subcommittee's written report. The subcommittee discussed developing a model for the annual report of child complaint and due process; discussion of the child complaint satisfaction survey; and, 4th cycle monitoring/focused monitoring. Kent Kolaga made a motion that a formal recommendation be drafted requesting DESE find another way of collecting (increasing survey response) the survey information in addition to

mailing the surveys. Surveys are only for this fiscal year – a one time event. Bev Woodhurst seconded the motion. Motion passed.

Nominations Subcommittee – Barbara Scheidegger indicated that in June there will be five panel members (parents of students with disabilities/individuals with disabilities) whose terms will end. From 2003-06, sixty-nine applications were received. Last year the older ones were called and those nominations remaining are still interested. In March, the nominations subcommittee will make selections and do interviews. By May, the subcommittee will make nomination recommendations to DESE. Would like to have new members attend the June panel meeting.

Officer elections will be coming up in June. Barbara will forward a nomination form to Lina prior to April to be sent to the panel. There are no specific requirements to serve as chair, vice chair, or secretary. You can self nominate if interested. You can nominate anyone. The nominations subcommittee will check to make sure they are interested. Also need to nominate for the executive committee's members at large.

Public Comment Subcommittee – Bev Woodhurst indicated that their subcommittee discussed with Deana O'Brien what their charge is. The subcommittee is to:

- gather information from across the state to see what is or is not working for parents, educators, and general public;
- come up with a generic plan that could be presented to any community in the state;
- determine if interpreters or other accommodations are needed;
- review equipment available, accessible meeting locations, free location, etc.;
- determine target audience (may need to determine an area contact person to assist in notifying people) and approximate number of people attending;
- specify that the open forum is not a gripe session but instead a time for individuals to come together to be the voice for that community; and,
- panel member(s) is not there to offer advice but will present the information/suggestions to DESE and/or panel.

Bev is going to share these notes with Cathy Meyer and see how she wants to proceed.

SEAP representative to SICC/SICC representative to SEAP – Deana O'Brien indicated that the SICC is the Part C panel (State Interagency Coordinating Council (zero to three)). Deana indicated that in many states there is a liaison that attends each other's meeting so when there are overlapping issues that both groups are kept better aware of what is going on between the two groups. Ray suggested that the meeting agendas/minutes could be shared between the chairs. Deana felt it was a problem that DESE is not reporting information between the two groups. The SICC and SEAP minutes/agendas are posted on the web. Deana and Pam Williams will discuss further the possibility of facilitating some type of communication between SICC and SEAP.

Kent Kolaga made a motion to adjourn. Mike Hanrahan seconded the motion. Motion passed. The meeting was adjourned at 2:45 p.m.